

Article - Education

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§7–101.2.

- (a) (1) In this section the following terms have the meanings indicated.
- (2) “Additional eligible child” means a child:
 - (i) Who is from an economically disadvantaged background;
 - (ii) Whose parent or legal guardian seeks to enroll the child in a publicly funded prekindergarten program established under this section; and
 - (iii) Who is 4 years old on September 1 of the school year in which the parent or legal guardian seeks to enroll the child in a publicly funded prekindergarten program established under this section.
- (3) “Economically disadvantaged background” means a family whose income is no more than 300% of the federal poverty guidelines.
- (4) “Fund” means the Prekindergarten Expansion Fund.
- (5) “Judy Center” has the same meaning as provided in § 5–217 of this article.
- (6) “Program” means the Prekindergarten Expansion Grant Program.
- (7) “Qualified vendor” means:
 - (i) If partnering with a county board under a memorandum of understanding, a State accredited or nationally accredited child care center or a nonpublic school approved by the Department to provide prekindergarten services;
 - (ii) A county board that provides prekindergarten services under § 7–101.1 of this subtitle; and
 - (iii) A Judy Center or private provider of preschool services that meets the grant requirements under § 5–217 of this article.
- (b) (1) There is a grant program known as the Prekindergarten Expansion Grant Program in the State.

(2) The purpose of the Program is to broaden the availability of prekindergarten and school readiness services throughout the State for children and their families in coordination with the following programs:

(i) The publicly funded prekindergarten program established under § 7–101.1 of this subtitle; and

(ii) The Judith P. Hoyer Early Childhood Education Enhancement Program established under § 5–217 of this article.

(3) The Department shall administer the Program.

(4) (i) The Program shall be a competitive grant program to provide funds to qualified vendors.

(ii) The Department shall take measures to achieve geographic diversity among participating qualified vendors.

(iii) Priority for participation in the Program shall be given to qualified vendors:

1. That are located in areas of the State that have an unmet need for prekindergarten or comprehensive early childhood education services;

2. That include a plan for long-term sustainability, including community and business partnerships and matching funds to the extent possible; and

3. That incorporate parental engagement and the benefits of educational activities beyond the classroom into the vendors' programs.

(iv) Prekindergarten Expansion Grants may be used to expand prekindergarten services, including:

1. Establishing or expanding existing half-day prekindergarten for additional eligible children as defined in this section;

2. Establishing or expanding full-day prekindergarten for eligible children as defined in § 7–101.1 of this subtitle or additional eligible children as defined in this section;

3. Establishing or expanding existing Judy Centers for the families of eligible children as defined in § 7–101.1 of this subtitle or additional

eligible children as defined in this section who are located in Title I school attendance areas; and

4. Expanding existing half-day prekindergarten programs into full-day prekindergarten programs for eligible children as defined in § 7-101.1 of this subtitle or additional eligible children as defined in this section.

(v) The Department may establish:

1. Additional eligibility criteria for the selection of qualified vendors;

2. Application and award processes including the submission date for applications, renewal procedures, and application review processes for making awards under the Program; and

3. Any other policies and procedures necessary to implement the Program.

(5) A qualified vendor that has received a Prekindergarten Expansion Grant in the current year shall be awarded a grant in the next year if the qualified vendor continues to satisfy the requirements established under this section.

(c) Before approving qualified vendors for prekindergarten services to receive a grant under this section, a qualified vendor shall certify to the Department that for each classroom funded under this section the vendor will:

(1) Maintain a student-to-teacher ratio of no more than 10 to 1 with an average of 20 children per classroom;

(2) Provide in each classroom at least one teacher certified in early childhood education by the State and at least one teacher's aide who has at least a high school degree; and

(3) Operate an educational program for:

(i) 5 days per week;

(ii) 180 days per year, in accordance with the public school calendar established by the local school board; and

(iii) 1. For half-day programs, at least 2.5 hours per day; or

2. For full-day programs, at least 6.5 hours per day.

(d) (1) Beginning in fiscal year 2020 and for each fiscal year thereafter, the Governor shall annually appropriate to the Fund an amount that is at least equal to the total amount of all funds received by the Program in the prior fiscal year.

(2) The Governor may provide funds to the Department to administer the Program.

(e) Grants awarded under this section may not be used:

(1) To supplant existing funding for prekindergarten services; or

(2) For capital improvements.

(f) The Department shall:

(1) Leverage Child Care Subsidy Program funds when making grant awards to private providers that participate in the Child Care Subsidy Program;

(2) Encourage private providers that receive grants to pursue level 5 in the Department's voluntary quality rating and improvement system known as "Maryland EXCELS";

(3) Supervise and monitor the use of grant funds distributed under this section; and

(4) Evaluate whether grant recipients are meeting annual benchmarks established by the Department.

(g) (1) There is a Prekindergarten Expansion Fund.

(2) The purpose of the Fund is to provide funds to the Program.

(3) The Department shall administer the Fund.

(4) (i) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

(ii) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(5) The Fund consists of:

(i) Money appropriated in the State budget to the Fund;

(ii) Investment earnings of the Fund; and

(iii) Any other money from any other source, including donations, accepted for the benefit of the Fund.

(6) The Fund may be used only for grants made by the Department for the Program.

(7) (i) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(ii) Investment earnings of the Fund shall be paid into the Fund.

(8) Expenditures from the Fund may be made only in accordance with the State budget.

(h) In accordance with § 2-1257 of the State Government Article, the Department shall report to the General Assembly by November 1 of each year on the implementation of the Program.

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